



020404

16638 U.S. PTO

PTO/SB/13/PCT (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION**

DOCKET NUMBER	ANTICIPATION CLASSIFICATION OF THIS APPLICATION	PRIOR APPLICATION EXAMINER	ART UNIT
785-011686-US (C01)	CLASS SUBCLASS		

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b) of pending prior international application Number PCT /EP02/08867, filed on 8/8/2002 entitled Hydrates of Optionally Substituted 2-(2-pyridinyl) methylthio-1H-benzimidazoles and Process for the Production Thereof, which designated the United States.

Note: 37 CFR 1.53(d) cannot be used to file a continuation or divisional application of an international application which has not entered the national stage.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))		13 - 20 =		x \$ ----- =	\$ 0
INDEPENDENT CLAIMS (37 CFR 1.16(b))		1 - 3 =		x \$ ----- =	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				x \$ ----- =	
				BASIC FEE (37 CFR 1.16(a))	770.00
				Total of above Calculations =	770.00
				Reduction by 50% for filing small entity (Note 37 CFR	1.27).
				Total =	770.00

1. Enclosed are the specification, claims and drawing(s).
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ The Director is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment of Deposit Account No. 16-1350. A duplicate copy of this sheet is enclosed.
4. ☒ A check in the amount of \$ 770.00 is enclosed.
5. ☐ Payment by credit card. Form PTO-2038 is attached.
6. ☐ Application Data Sheet is enclosed. See 37 CFR 1.76.
7. ☒ If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:  
☒ Continuation ☐ Divisional of prior PCT application No.: PCT/EP02/08867, filed 8/8/2002  
[Page 1 of 2]

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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8. ☐ A declaration under CFR 1.63 is enclosed.
9. ☒ Priority of foreign application number DE 101 40 492.1, filed on 17/08/2001  
in Germany is claimed under 35 U.S.C. 119(a)-(d).
- ☐ The certified copy is enclosed.
10. ☒ A preliminary amendment is enclosed.
11. ☒ Also enclosed:  
IDS, PCT. Intl. Search Report, German Search Report, PTO-Form 1449, references

Address all future correspondence to: (May only be completed by applicant, or attorney or agent or record).

Clarence A. Green

PERMAN & GREEN, LLP, 425 Post Road, Fairfield, CT 06824

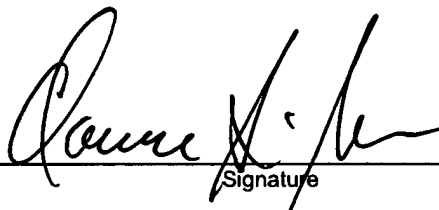
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

February 4, 2004

Date

(203) 259-1800

Telephone Number

  
Signature

Clarence A. Green

Typed or printed name

24,622

Registration Number, if applicable

- ☐ Inventor(s)/Applicant(s)
- ☐ Assignee of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☐ Attorney or agent of record
- ☒ Filed under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a) 24,622

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): **LOEBERMANN et al.**

Docket No.

**785-011686-US (C01)**

Serial No.  
To Be Assigned

Filing Date  
Herewith

Examiner

Group Art Unit

Invention: **HYDRATES OF OPTIONALLY SUBSTITUTED 2-(2-PYRIDINYL)  
METHYLTHIO-1H-BENZIMIDAZOLES AND PROCESS FOR THE PRODUCTION THEREOF**

I hereby certify that the following correspondence:

**Continuation of an International Application and corresponding papers**

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37  
CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
on

**February 4, 2004**

*(Date)*

**Alicia Czako**

*(Typed or Printed Name of Person Mailing Correspondence)*

  
*(Signature of Person Mailing Correspondence)*

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